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IN THE UNITED STATES PATENT AND
TRADEMARK OFFICE

Application Number: 09/879,480
Applicants: Jack C. Whittier, Barbi A. Riggs, Patrick D. Burns and
George Seidel
Filed: June 12, 2001
Title: Integrated Herd Management System Utilizing Isolated
Populations of X-Chromosome Bearing and Y-Chromosome
Bearing Spermatozoa
TC/AU: 1634
Examiner: Carla J. Myers
Assignee: Colorado State University through its agent Colorado State
University Research Foundation
Attorney Docket: HrdMgmtCIP
Customer No. 33549

**EXPLANATION OF THE RELEVANCE OF NON-ENGLISH
INFORMATION CITED PURSUANT TO 37 C.F.R. §1.98(a)(3)**

Pursuant to 37 CFR §1.97(c)(2), the Applicant hereby submits the references indicated on the attached list. As a means of complying with the duty of disclosure set forth in 37 C.F.R. §§1.56, 1.97, and 1.98, the following information may be material to the examination of the referenced application. Pursuant to 37 C.F.R. § 1.97(g), the Information Disclosure Statement should not be construed as a representation that a search has been made. Additionally, pursuant to 37 C.F.R. § 1.97(h), the filing of this Information Disclosure Statement shall not be construed as an admission that the information cited is or is considered to be material to patentability as defined in 37 C.F.R. § 1.56(b). A copy of each Foreign Reference or "Other" reference cited is enclosed.

This submission includes as follows a concise explanation of the relevance of non-English Information as cited in the Supplemental Information Disclosure Citation enclosed herewith, in compliance with 37 C.F.R. §1.98(a)(3) and MPEP §609 A(3).

Ozhin F.V. et al. Artificial insemination of farm animals. Moscow, Izdatelstvo Selskokhozyastvennoi Literatury, 1961, pp. 350-361 and pp. 380-393 may include disclosure relative to artificial insemination of farm animals.

Prokofiev M.I. Regoulyatsia Razmnozhenia Selskokhozyastvennykh Zhivotnykh, Leningrad, NAOUKA Publishing House, 1983, pp. 181-195 was cited in an application that may involve technology generally relevant to that of the instant application. The Assignee has not had it translated.


Solsberry G.U., Van-Denmark N.L., Theory and practice of artificial cow insemination in USA, Moscow, KOLOS Publishing House, 1966, p. 346 may include disclosure relative to artificial insemination of cows.

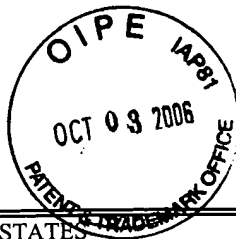
Wintzer Et al.: "Krankheiten des Pferdes Ein Leitfaden für Studium und Praxis," 1982, nParey, Berlin Hamburg XP002281450 may include disclosure relative to artificial insemination.

van Munster, E. B., "Geslachtsbepaling met interferometrie", Derde prijs NtvN-prijsvraag voor pas-gepromoveerden 65/4, (Sex Determination with Interferometry) p. 95-98 (1999) may include disclosure relative to sex determination with interferometry.

Dated this 3 day of October, 2006.

Respectfully submitted,
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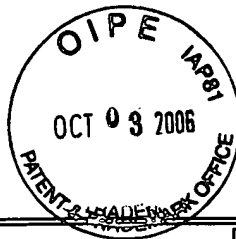
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT	APPLICATION NO:	09/879,480
	FILING DATE:	12-Jun-01
	FIRST NAMED INVENTOR:	Jack C. Whittier
	ART UNIT:	1634
	EXAMINER NAME:	Carla J. Myers
	DOCKET NO:	HrdMgmtCIP

I. US PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NO. & KIND CODE (if known)	PATENTEE OR		Pages, Columns, Lines Where Relevant Passages
	4,007,087	Ericsson	2/8/1977	
	5,466,572	Sasaki et al.	11/14/1995	
	7,094,527	Seidel et al.	8/22/2006	
	2005/00282245	Ludwig et al.	12/22/2005	
	2005/0244805 A1	Ludwig et al.	11/3/2005	
	20050214733 A1	Graham et al.	9/29/2005	

II. FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	Foreign Patent Document Country Code, Number, Kind Code (if known)	PATENTEE OR APPLICANT NAME	PUB'N DATE mm- dd-yyyy	TRANSLATION Yes No	
	UK 1471019	United Aircraft Corp.	4/21/1977		
	WO 2006012597 A2	Monsanto Technology LLC	2/2/2006		
	WO 93/17322 A1	Univ. of Hertfordshire GB	9/02/1993		



III. OTHER REFERENCES

EXAMINER INITIAL	Document
	Canadian Patent Application No. 2,411,462; Examination Report dated 08-03-2006
	Johnson, L. A., Sexing mammalian sperm for production of offspring: the state-of-the-art; Animal Reproduction Science; 60-61 (2000) pp 93-107
	Seidel, G.E. Jr., et al., Methods of Ovum Recovery and Factors Affecting Fertilization of Superovulated Bovine Ova, Control of Reproduction in the Cow, Sneenan ed., 1978, pp 268-280
	Hawk, H. W. et al., Effect of Unilateral Cornual Insemination upon Fertilization Rate in Superovulating and Single-Ovulating Cattle, Journal of Animal Sciences, 1986 vol. 63, pp 551-560
	Andersson, M. et al., Pregnancy Rates in Lactating Holstein-Greisian Cows after Artificial Insemination with Sexed Sperm. Reprod. Dom. Anim 41, 95-97, 2006
	Morton, K. M., et al., In vitro and in vivo survival of bisected sheep embryos derived from frozen-thawed unsorted, and frozen-thawed sex-sorted and refrozen-thawed ram spermatozoa; Theriogenology, 65 (2006) 1333-1345
	Wilson, R. D., et al., In vitro production of bovine embryos using sex-sorted sperm, Theriogenology, 65 (2006) 1007-1015
	Johnson, L.A., et al, 1996 Gender preselection in mammals. XX Beltsville Symposium in Agricultural Research Technology's Role in the Genetic Improvement of Farm Animals. pp. 151-164, Amer. Soc. Anim. Sci. IL, USA.
	Smorag, Z., et al., Cattle Sex Regulation by Separation of X and Y Spermatozoa – Preliminary Results of Field Experiment in Poland, Reproduction, Fertility and Development 17(2) 306–306; 01/01/2005
	Crichton, E., et al. (Abstract) Artificial Insemination of Lactating Holstein Cows with Sexed Sperm, Reproduction, Fertility and Development 18(2) 281 - 281, 12/14/2005
	Lindsey, A.C., et al. Hysteroscopic insemination of low numbers of flow sorted fresh and frozen/thawed stallion spermatozoa, Equine Vet J. 2002 Mar;34(2):106-7.
	Drobnis, E. Z, Cold shock damage is due to lipid phase transitions in cell membranes : a demonstration using sperm as a model, Journal of experimental zoology (J. exp. zool.) 1993, vol. 265, no4, pp. 432-437 (22 ref.)
	Hagele, W.C., et al., Effect of Separating Bull Semen into X and Y Chromosome-bearing Fractions on the Sex Ratio of Resulting Embryos; Cran J. Comp. Med, 1984: 48:294-298
	US Patent Application Number 11/422,735 filed 05/25/2006 entitled Apparatus, Methods and Processes for Sorting Particles and for Providing Sex-Sorted Animal Sperm
	Suh, T.K, et al., Pressure during flow sorting of bull sperm affects post-thaw motility characteristics; Theriogenology Vol. 59, No. 1, January 2003 p 516
	Rath, D, et al., In Vitro Production of Sexed Embryos for Gender Preselection: High-speed sorting of X-Chromosome-Bearing Sperm to Produce Pigs After Embryo Transfer, J. Anim. Sci. 1999, 77:3346-3352
	Auchtung, T.L., et al., Effects of Photoperiod During the Dry Period on Prolactin, Prolactin Receptor, and Milk Production of Dairy Cows; Journal of Dairy Sci. 88: 121-127; American Dairy Sci. Assoc., 2005.
	Bailey, Tom and Currin, John Milk Production Evaluation In First Lactation Heifers; 1999 Virginia Cooperation Extension/Dairy Science Publication 404-285
	Belloin, J.C., Milk and Dairy products: prduction and processing costs Food and Agriculture Organization of United Nations Rome 1988 FAO; web page where found: www.fao.org/docrep/003/x6931e/X6931E00.htm

	Kume, Shin-ichi; Dept of Animal Nutrition National Institute of Animal Industry Tsukuba 305, Japan THE DAIRY INDUSTRY \$IN ASIA B. JAPAN; www.agnet.org/library/article/eb384b.html
	Crichton, E.; Huffman, S.; McSweeney, K.; and Schenk, J. 347 Artificial Insemination of Lactating Holstein Cows with sexed sperm: Abstract CSORP Publishing - Reproduction, Fertility and Development www.publish.csiro.au/nid/44/paper/RDv18n2Ab347.htm
	Lopez, H., Caraviello, D.Z., Satter, L.D., Fricke, P.M. and Wiltbank, M.C.; Relationship Between Level of Milk Production and Multiple Ovulation in Lactating Dairy Cows Journal of Dairy Sci. 88:2783-2793; American Dairy Science Association, 2005.
	Managing the Dairy Cow During the Dry Period; Dairy Cattle Production 341-450A; Macdonald Campus of McGill University/Faculty of Agricultural & Environmental Sciences/Department of Animal Science
	Milk Production and Biosynthesis University of Guelph/Dairy Science and Technology www.foodsci.uoguelph.ca/dairyedu/biosyntheses.html
	MILK PRODUCTION Released 7-18-2006, by the National Agricultural Statistics Service (NASS), Agri. Stats. Board, US Dept of Agri.
	De Vries, A. Economic Value of Pregnancy in Dairy Cattle Journal of Dairy Sci. 89:3876-3885/American Dairy Sci. Assoc. 2006
	Ozhin F.V. et al. Artificial insemination of farm animals. Moscow, Izdatelstvo Selskokhozyaastvennoi Literatury, 1961, pp. 350-361 and pp. 380-393
	Prokofiev M.I. Regoulyatsia Razmnozhenia Selskokhozyastvennykh Zhivotnykh, Leningrad, NAOUKA Publishing House, 1983, pp. 181-195
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	Wintzer Et al.: "Krankheiten des Pferdes Ein Leitfaden fur Studium und Praxiz," 1982, nParey, Berlin Hamburg XP002281450
	van Munster, E. B., "Geslachtsbepaling met interferometrie", Derde prijs NtvN-prijsvraag voor pas-gepromoveerden 65/4, (Sex Determination with Interferometry) p. 95-98 (1999)
	Pursel, et al, "Effect of Orvus ES Paste on Acrosome Morphology, Motility and Fertilizing Capacity of Frozen-Thawed Boar Sperm," Journal of Animal Science, 47:1:198-202 (1978)
EXAMINER:	DATE CONSIDERED
EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.	